

# **MINUTES**

## **STATE OF WASHINGTON**

### **ENERGY FACILITY SITE EVALUATION COUNCIL**

#### **February 7, 2001 – Special Council Meeting**

Rowe Six Conference Center – Building 1  
4224 6<sup>th</sup> Avenue SE  
Lacey, Washington

#### **Item 1: Call to Order**

Chair Deborah Ross called the meeting to order at 3:00 p.m. A quorum was present. A notice of this special meeting was sent to all individuals requesting information on meeting of the EFSEC.

#### **Item 2: Roll Call**

<b>Chair</b>	Deborah Ross
<b>Department of Agriculture</b>	Daniel Jemelka
<b>Community, Trade &amp; Economic Development</b>	Heather Ballash
<b>Department of Ecology</b>	Chuck Carelli
<b>Department of Fish &amp; Wildlife</b>	Jenene Fenton
<b>Department of Health</b>	Ellen Haars
<b>Military Department</b>	Diane Offord
<b>Department of Natural Resources</b>	Gayle Rothrock
<b>Department of Transportation</b>	Gary Ray
<b>Utilities and Transportation Commission</b>	Dennis Moss
<b>City of Sumas</b>	Gerald Richmond
<b>Whatcom County</b>	Dan McShane

#### **Others in Attendance**

##### **EFSEC Staff and Counsel**

Allen Fiksdal	Irina Makarow
Mike Mills	Mariah Laamb
Michelle Elling	Robert Fallis, AAG, EFSEC

##### **Guests**

Brian Carpenter, REBOUND	Chuck Martin, SE2
Liz McDougall, Perkins, Coie	Beth Spelsberg, Golder & Associates
Mary Barrett, AGO	Joan Marchiano, AGO – Ecology
David Bricklin, Bricklin & Gendler	Sharon Michael, Bellingham Herald
Patrick Higgins, Govt. of Canada, Seattle Consulate	

### **Item 3: Sumas 2 Generation Facility, Application No. 99-1**

<b><i>Consideration and adoption of the Final Environmental Impact</i></b>	<b><i>Deborah Ross, EFSEC Chair</i></b>
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Chair Ross made a statement regarding the action item for today's meeting. Her statement reads as follows:

The one item we have on our agenda today is the adoption of a Final Environmental Impact Statement (FEIS) for the proposed Sumas II generating facility. I would like to describe briefly how the FEIS was developed and how it will be used in developing our recommendation to the governor. I will then ask for an opinion from Allen Fiksdal, our responsible SEPA official, that the document complies with EFSEC rules and SEPA rules. If so, I will ask for a motion to adopt the FEIS and a vote to adopt, and we will then adjourn.

Under state law, EFSEC is required to comply with the provisions of the state environmental policy act, or SEPA, in reviewing applications for siting new energy facilities. Earlier in this proceeding, our responsible SEPA official, Allen Fiksdal, determined that an environmental impact statement (EIS) was required for this project.

WAC 463-47-090 is the EFSEC regulation that determines how EFSEC prepares and issues environmental impact statements. An EIS can either be prepared by the Council itself, or by an independent consultant mutually agreed upon by the applicant and the Council. In this case, the Council and the applicant agreed to have the firm of Jones and Stokes prepare the draft and final EIS. However, the regulation also requires that the council shall direct the areas of research and examination to be undertaken, initiate and coordinate scoping, assisting in obtaining information, and allow the person preparing the EIS access to council records. Further, the document must be prepared under the supervision of the council or council subcommittee and the responsible official.

A draft EIS was issued in March 2000. Hearings were held, at which forty-nine persons testified. 198 additional written communications commenting on the draft EIS were also submitted to the Council. All of these oral and written comments, together with other record materials provided to Jones and Stokes by the Council, were considered in developing the final EIS.

As its September 2000 meeting, the Council approved the formation of a subcommittee to direct the preparation of a final EIS, together with Mr. Fiksdal, as required by our regulations. This subcommittee worked with Mr. Fiksdal, in communication with Jones and Stokes, to develop the FEIS. The FEIS shows all the sources of information used in drawing its conclusions, and responds to the many comments that were received in response to the draft EIS.

All Council members have had an opportunity to review the document before today.

The FEIS is an important document that informs the Council's decision whether to recommend the siting of this proposed facility. It is not a decision document in and of itself. It is one part of the entire record that the Council will be considering. Other important sources of information that the Council is required to consider include the adjudicative record, the record in the land use consistency phase of our proceeding, and the public witness hearings. These documents and proceedings will all form the basis for the Council's ultimate decision and recommendation in this matter, which will be articulated in the order and recommendation the Council sends to the Governor. Thus, conclusions reached in this final environmental impact statement should not be interpreted as necessarily determining the outcome of the application proceeding. The Council has scheduled a meeting to take place next Friday, February 16, in Bellingham, Washington, to vote on an order and recommendation to the Governor.

I will now turn to Mr. Fiksdal, as responsible SEPA official, for his opinion whether he is satisfied that this FEIS complies with EFSEC rules and chapter 197-11 WAC.

Mr. Fiksdal reported that he was satisfied that the FEIS does meet the requirements of Ch. 463-47 of the WAC and Ch. 197-11 of the WAC.

MOTION: To adopt the FEIS that has been distributed to the Council. Moved and seconded. Abstention by Diane Offord, Military Department. The motion carried and the FEIS adopted.

#### **Item 4. Adjourn**

The meeting was adjourned at 3:22 p.m.